

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA  
CIVIL NO. 21-1952 (DSD/HB)

Edward Milner,

Plaintiff,

v.

**ORDER**

Rochester Minnesota Police  
Department; DFO Community  
Corrections Pre-Trial Release; and  
St. Paul Minnesota Police  
Department,

Defendants.

This matter is before the court upon the report and recommendation of United States Magistrate Judge Hildy Bowbeer dated November 16, 2021 (R&R). The magistrate judge recommends that the court dismiss the case and pro se plaintiff Edward Milner's pending motions to proceed in forma pauperis, to compel discovery, and for default judgment because his complaint fails to state a claim. Milner timely submitted objections to the R&R, but those objections are not directly responsive to the R&R and instead simply restate certain facts he believes support his claim. He also requests that the court to counsel him as to how to craft a viable complaint. The court is prohibited from dispensing legal advice, however, even when the litigant is pro se.

The court reviews the R&R de novo. 28 U.S.C. § 636(b)(1)(C); Fed. R. Civ. P. 72(b); D. Minn. L.R. 72.2(b). After a thorough

review of the file and record, the court finds that the R&R is well-reasoned and correct.

Accordingly, based on the R&R, and all the files, records, and proceedings herein, **IT IS HEREBY ORDERED that:**

1. The R&R [ECF No. 13] is adopted in its entirety;
2. This matter is dismissed without prejudice pursuant to 28 U.S.C. § 1915A;
3. The application to proceed in forma pauperis of plaintiff Edward Milner [ECF No. 2] is denied;
4. The motion to compel discovery [ECF No. 5] is denied; and
5. The motion for default judgment [ECF No. 11] is denied.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Dated: December 1, 2021

s/David S. Doty  
David S. Doty, Judge  
United States District Court